

CITY OF BOTHELL PUBLIC NOTICE

STATE ENVIRONMENTAL POLICY ACT (SEPA)

DETERMINATION OF NON-SIGNIFICANCE (DNS) PROPOSED TREE RETENTION AND CLUSTERING CODE AMENDMENTS

Description of proposal:

The potential Tree Retention and Clustering Mechanism Code amendments are a non-project action involving revisions to the Bothell Municipal Code. Specially, these Code amendments address regulations regarding the preservation of existing trees and open space. The overall approach of these amendments is to retain a greater number of significant trees and open space areas within subdivisions and other private developments. The Planning Commission has completed a Recommendation which will be forwarded to the City Council and is more fully described below.

Clustering Mechanism provisions of BMC 12.30.070

The Planning Commission based its recommendation on the recently adopted Fitzgerald / 35th SE Subarea (BMC 12.52) provisions of Ordinance 2163 including:

- Uses the PUD process to approve clustered subdivisions;
- Applies a similar incentive scale where additional open space is incentivized with bonus lots;
- Implements similar lot area and circle modifications (50% and 60% reductions);
- Applies similar road reduction (impervious surface reduction) standards of the Fitzgerald Subarea and the Green PUD provisions of Chapters 12.52 and 12.30, respectively); and
- Utilizes a similar hierarchical preference for the type of open space to be preserved with intact forest being the first preference, rehabilitated or restored forest being the second preference;
- And other provisions as contained within the Planning Commission Recommendation.

The Planning Commission is recommending a number of amendments to the Fitzgerald clustering provisions to address a City-wide approach including:

- Requires that ALL clustered PUDs provide a minimum of 10 percent of the net buildable area as open space;
- Restrict passive open space areas to small-scale uses, such as trails, benches, picnic tables, etc. when counted toward open space for sites which may not have forest areas or significant quantities of trees);
- Do not allow storm water vaults to be credited toward open space;
- Allows an attached housing product (townhouses, duplex, etc.) when significant amounts of open space (40% of the net buildable area) is preserved and also establishes increased separation for attached products when adjacent to single family; and
- Other provisions as contained within the Planning Commission Recommendation.

Tree Retention provisions of BMC 12.18.030

- Tree retention be based upon the net buildable area of the site. In other words, trees within critical areas or buffers could no longer be counted toward tree retention;
- Increase the minimum preserved tree diameter inches from the current standard of 10 percent to 15 to 20 percent of the trees within the net buildable area;
- Allow tree removal in situations where mandatory street or driveway, utility, and other design and constructions standard requirements (e.g. sight distance triangles, intersection locations, roadway gradients, etc.) conflict with tree retention;
- Clarify the criteria the Director of Community Development will use when evaluating tree retention plans;
- Re-orders the tree retention section (12.18.030) to a more logical sequence;
- Clarifies the Director's ability to require minor site plan changes to achieve tree retention and limits the Director authority to a maximum of horizontal change of 20 feet (i.e. cannot require a building to be moved more than 20 feet in any direction);
- Requires developments within Activity Centers (including downtown) where compact, walkable, urban neighborhoods are desired, to preserve at least 15 percent of the tree diameter inches on a site, but allows retention of smaller existing trees or the installation of new replacement trees that are at least 20 feet high or 4 inches in caliper; and
- Other provisions as contained within the Planning Commission Recommendation.

As previously mentioned, these Code amendments constitute a non-project action under SEPA.

Proponent: City of Bothell

Location: The Tree Retention and Clustering Mechanism Code amendments would apply City-wide.

Lead Agency: City of Bothell

Determination:

The lead agency for this proposal has determined that it would not have a probable significant adverse impact on the environment due to mitigating measures built into the Plan and implementing development regulations as described above.

An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request or can be viewed at the Community Development offices located at 9654 NE 182 Street, Bothell, WA 98011.

This Determination of Non-Significance (DNS) is issued under WAC 197-11-350.

Comment Period:

The lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by 4:00 p.m. May 26, 2017, to Bruce Blackburn, Senior Planner, via e-mail at

bruce.blackburn@bothellwa.gov, or via United States Postal Service or other delivery method at the address below.

Responsible Official: Gary Hasseler
Position / title: Development Services Manager
Address: 18415 101 Ave NE, Bothell, WA 98011
Phone: 425-806-6400
Issue Date: May 12, 2017

Signature on File

Signature: _____

Appeal: You may appeal this determination by filing or stating specific statements of reason for the appeal with the Responsible Official at the address above. Appeals must be received no later than seven days following the comment period or by 4:00 p.m. June 2, 2017. Public hearings of such appeals will be scheduled upon analysis of the filed appeal. Notice of the time and date of such hearing will be issued separately and within 30 days of the date of the hearing, when such date is established.

You should be prepared to make specific factual objections. SEPA appeals must be submitted precisely as outlined and detailed in BMC Title 14.02 and BMC Title 11. Contact Jeff Smith at the Department of Community Development (425-806-6407) to read or ask about the procedures for SEPA appeals.

The issuance of this DNS should not be interpreted as acceptance or approval of the subject proposal as presented. It only assesses the degree of environmental impact and any mitigation required to reduce that impact below a level of significance. The City of Bothell, in its review for consistency with the requirements of adopted state law, the Imagine Bothell... Comprehensive Plan, and applicable land use codes, reserves the right to approve, deny, revise, or condition the proposal.

CITY OF BOTHELL

SEPA Checklist

EVALUATION
for City use only

A. Background (to be completed by applicant)

1. Name of proposed project, if applicable:
Tree Retention and Clustering Mechanism Code amendments.

2. Name of applicant: **City of Bothell**

3. Address and phone number of applicant and contact person:

**City of Bothell
Department of Community Development
18415 101 Avenue NE
Bothell, WA 98011**

Checklist prepared by City of Bothell. Contact person:

**Bruce Blackburn, Senior Planner
18415 101 Avenue NE
Bothell, WA 98011
425-806-6400**

4. Date checklist prepared: **May 4, 2017**

5. Agency requesting checklist: **City of Bothell**

6. Proposed timing or schedule (including phasing, if applicable):

The City of Bothell Planning Commission conducted open record public hearings on the 2017 Tree Retention and Clustering Mechanism Code Amendments on:

- **Planning Commission hearings**
 - **January 19, 2017**
 - **February 22, 2017**
 - **March 22, 2017**
 - **April 19, 2017 (opened and continued)**
 - **May 3, 2017**
- **City Council hearings - Tentative**
 - **June 6, 2017 (Scheduled)**
 - **July 11, 2017 (Scheduled)**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. Annual amendments to the Comprehensive Plan and amendments to the City's implementing regulations occur as they are identified through the City's yearly 'docketing' and work program process.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- a. The North Creek Fish and Wildlife Critical Habitat Protection Area (NCFWCHPA) Study dated October 2006 prepared by Parametrix (2006 Parametrix Study).
- b. Draft Technical Memorandum BAS LID dated Parametrix dated May 20, 2016
- c. Draft Technical Memorandum BAS Update dated Parametrix dated May 20, 2016
- d. BAS GAP analysis prepared by Parametrix dated October 31, 2016
- e. Final Technical Memorandum BAS LID dated Parametrix dated November, 2016
- f. Final Technical Memorandum BAS Update dated Parametrix dated prepared by Parametrix dated November, 2016
- g. Final BAS GAP analysis prepared by Parametrix dated November, 2016

Previous Environmental Reviews involving the *Imagine Bothell...* Comprehensive Plan and Bothell Municipal Code amendments:

- Threshold Determination 2016 Comprehensive Plan and Code amendments
 - Threshold Determination 2015 Periodic Comprehensive Plan and Code amendments
 - Threshold determination 2014 Comprehensive Plan and Code amendments
 - Threshold determination 2013 Comprehensive Plan and Code amendments
 - Threshold determination 2012 Comprehensive Plan and Code amendments
 - Threshold determination 2011 Comprehensive Plan and Code amendments
 - Threshold determination 2010 Comprehensive Plan and Code amendments
 - Final Planned Action Environmental Impact Statement 2009 Downtown Subarea Comprehensive Plan and Code amendments
 - Threshold determination 2008 Comprehensive Plan and Code amendments
 - Threshold determination 2007 Comprehensive Plan and Code amendments
 - Final Supplemental Environmental Impact Statement *Imagine Bothell...* 2006 Comprehensive Plan and Code amendments (2006 FSEIS);
 - Final Supplemental Environmental Impact Statement *Imagine Bothell...* 2005 Comprehensive Plan and Code amendments;
 - Final Environmental Impact Statement 2004 *Imagine Bothell...* Comprehensive Plan and Code Major Update
 - Final Supplemental Environmental Impact Statement 2000 *Imagine Bothell...* Comprehensive Plan amendment
 - Final Supplemental Environmental Impact Statement 1996 *Imagine Bothell...* Comprehensive Plan amendment
 - Final Environmental Impact Statement 1994 *Imagine Bothell...* Comprehensive Plan
 - Final Environmental Impact Statement 2009 Downtown Subarea Plan and Regulations Planned Action
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
- None. This action addresses a City-Wide Code amendment that implements the *Imagine Bothell...* Comprehensive Plan. See A.1 above for a detailed list of elements encompassed by this action.
10. List any government approvals or permits that will be needed for your proposal, if known.
- The Tree Retention and Clustering Mechanism Code amendments, as amended and as ultimately approved by the City Council, will be adopted by ordinance.

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

This SEPA Determination is based upon the Planning Commission Recommendation which is described in more detail below.

Clustering Mechanism provisions of BMC 12.30.070

The Planning Commission based its recommendation on the recently adopted Fitzgerald / 35th SE Subarea (BMC 12.52) provisions of Ordinance 2163 including:

- Uses the PUD process to approve clustered subdivisions
- Applies the same incentive scale where additional open space is incentivized with bonus lots;
- Implements the same lot area and circle modifications (50% and 60% reductions);
- Applies the same road reduction standards of the Fitzgerald Subarea (and the Green PUD); and
- Utilizes a very similar hierarchical preference for the type of open space to be preserved.

The Planning Commission is recommending a few amendments to the Fitzgerald clustering provisions to accommodate a City-wide approach including:

- Requires that ALL clustered PUDs provide a minimum of 10 percent of the net buildable area as open space;
- Includes passive uses such as trails, benches and picnic tables, etc., to be counted toward open space on sites which may not have forest areas or significant quantities of trees; and
- Allows an attached housing product (townhouses, duplex, etc.) when significant amounts of open space (40% of the net buildable area) is preserved but also establishes increased separation for attached products;

Tree Retention provisions of BMC 12.18.030 amendments:

- Tree retention will be based upon the net buildable area of the site. In other words, trees within critical areas or buffers could no longer be counted toward tree retention;
- Increase the minimum preserved tree diameter inches from the current standard of 10 percent to 15 and 20 percent of the trees within the net buildable area;
- Allow tree removal in situations where mandatory street or driveway, utility, and other design and constructions standard requirements (e.g. sight distance triangles, intersection locations, roadway gradients, etc.) conflict with tree retention;
- Clarify the criteria the Director of Community Development will use when evaluating which trees to be retained on a subject site;
- Re-order the tree retention section (12.18.030) to a more logical sequence;
- Clarify the Director's ability to require minor site plan changes to achieve tree retention and limits the Director authority to a maximum of horizontal change of 20 feet (i.e. cannot require a building to be moved more than 20 feet in any direction); and
- Requires developments within Activity Centers (including downtown) where compact, walkable, urban neighborhoods are desired, to preserve at least 15 percent of the tree diameter inches on a site, but allows retention of smaller-

sized existing trees or the installation of two, new replacement trees at least 20 feet in height or 4 inches in caliper.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

These Code amendments would apply City-wide except where specific Subarea regulations supersede these amendments. For example clustering provisions for the North Creek Protection Area of the Fitzgerald / 35th SE Subarea would prevail over these proposed City-wide regulations.

B. Environmental elements

1. EARTH

- a. General description of the site (check one):

☐ Flat ☐ Rolling ☐ Hilly ☐ Steep Slopes ☐ Mountainous
☐ Other

This Code amendment applies City-Wide which cover a wide range of geology, physiography, soils, hydrology, and other 'earth' features.

The environmental impacts of specific proposed construction projects which may utilize the provisions of the Tree Retention and Clustering Mechanism Code amendments would be analyzed when development permit applications were received for such projects.

- b. What is the steepest slope on the site (approximate percent slope)?

Does not apply. See B.1.a. All development proposals would be subject to the City's Best Available Science-based Critical Areas Regulations of BMC Chapter 14.04. At the development application stage, a geologically hazardous assessment would be performed pursuant to the provisions of Chapter 14.04 BMC.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, much)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Does not apply. See B.1.a.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Does not apply. See B.1.a. It is important to note, however, that any development proposal located within a potentially geologically hazardous area would be subject to the BAS geological hazard regulations of Chapter 14.04. BMC

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Does not apply. See B.1.a.

- f. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

Does not apply. See B.1.a.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Does not apply. See B.1.a.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Compliance with the City's Construction Standard which implement erosion control measures. See B.1.a.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Does not apply. See B.1.a.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Does not apply. See B.1.a.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

No measures necessary. See B.1.a.

3. WATER

- a. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Does not apply. See B.1.a. Numerous surface water bodies including the Sammamish River, North Creek, tributaries to those water bodies and wetlands are located within the City of Bothell.

- b. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Does not apply. See B.1.a.

- c. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Does not apply. See B.1.a.

- d. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Does not apply. See B.1.a.

- e. Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

Does not apply. See B.1.a. Portions of the City are subject to inundation and are within the Federal Emergency Management Agency (FEMA) 1 percent chance (100 year) flood elevation.

- f. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Does not apply. See B.1.a.

- g. Groundwater:

- 1) Will groundwater be withdrawn or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Does not apply. See B.1.a.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Does not apply. See B.1.a.

- h. Water runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Does not apply. See B.1.a.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

Does not apply. See B.1.a.

- i. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

The preservation of a greater number of trees and undisturbed open space would reduce impacts associated with runoff from development as compared to current regulations which require fewer significant trees to be retained and contain limited ability to cluster.

Further, the City adopted a new Surface Water Design Manual in December of 2016 that is based upon the 2016 King County Surface Water Manual which is equivalent to the 2014 Department of Ecology Manual. These measures provide substantial protection of surface and ground water.

All future development proposals will be reviewed for compliance with these regulations which provide for substantial mitigation of impacts.

4. PLANTS

- a. Check or circle types of vegetation found on the site:

- ☐ deciduous trees: alder, maple, aspen, other
- ☐ evergreen trees: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crops or grain
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

See B.1.a. All of these vegetation types occur within the affected Subareas.

- b. What kind and amount of vegetation will be removed or altered?

Does not apply. See B.1.a.

- c. List threatened or endangered species known to be on or near the site.

Yes, the Sammamish River and North Creek are listed as habitat for the Chinook Salmon which is listed as a "threatened Species" under the Endangered Species Act (ESA). See referenced documents

Other locations - does not apply. See B.1.a.

- d. Describe proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Does not apply. See B.1.a.

5. ANIMALS

- a. List any birds and animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other:

Does not apply. See B.1.a. All of the above listed animals occur within the City of Bothell.

- b. List any threatened or endangered species known to be on or near the site

Does not apply, See B.1.a and the referenced documents. Chinook Salmon are known to use the water resources within the Sammamish River and North Creek. Other threatened or endangered species may use habitat within the City.

- c. Is the site part of a migration route? If so, explain.

Does not apply. See B.1.a. The Sammamish River and North Creek are known as a habitat/migration area for several fish species, including Chinook Salmon. Other species including avian, mammalian and amphibian may potentially use these features and other locations as temporal habitat during migrations. See incorporated documents. .

- d. Proposed measures to preserve or enhance wildlife, if any:

See B.1.a. BMC 14.04 contains the City's Critical Areas Regulations where specific regulations regarding protection, preservation and mitigation of wildlife impacts are detailed. No amendments to BMC 14.04 (Critical Areas Regulations) are proposed as part of this action. It should also be noted that the BMC requires compliance with whatever regulation provides the higher level of protection to a critical area.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Does not apply. See B.1.a.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Does not apply. See B.1.a.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

See B.1.a. No measures necessary.

7. ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Does not apply. See B.1.a.

- 1) Describe any special emergency services that might be required.

N/A - This is a non-project and non-site-specific action.

- 2) Proposed measures to reduce or control environmental health hazards, if any.

N/A - This is a non-project and non-site-specific action.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, aircraft, equipment, operation, other)?

Does not apply. See B.1.a.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Does not apply. See B.1.a.

- 3) Proposed measures to reduce or control noise impacts, if any:

Does not apply. See B.1.a. This is a non-project action and does not apply to a specific site or property. Construction and other activities must be consistent with State and local regulations for environmental noise. Construction activities must further comply with specific noise controls as promulgated within the Bothell Municipal Code.

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

See B.1.a.

- b. Has the project site been used for agriculture? If so describe.

Yes some lands within the City of Bothell were historically used for timber harvest and some lands were historically used for farmland purposes. See B.1.a.

- c. Describe any structures on the site.

See B.1.a.

- d. Will any structures be demolished? If so, what?

Does not apply. See B.1.a.

- e. What is the current zoning classification of the site?

See B.1.a.

- f. What is the current comprehensive plan designation of the site?

See B.1.a.

- g. If applicable, what is the current shoreline master program designation of the site?

See B.1.a.

- h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

Many lands within the City contain large areas of wetlands, streams, buffers, and other features which have been classified as environmentally sensitive subject to the City’s Critical Areas Ordinance of BMC 14.04. Other types of critical areas protected by BMC 14.04 or the Shorelines Master Program include frequently flooded areas, wetlands, streams, fish and wildlife habitat and potentially geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?

The Tree Retention and Clustering Mechanism contains an incentive provision which could potentially increase the number of lots beyond that which may have occurred under existing regulations. Those incentives have been calculated and have been identified below.

Zone	Maximum bonus lots Under a 10% Bonus	Maximum bonus lots Under a 20% Bonus
R 40,000	+13	+27
R 9,600	+ 163	+327
R 8,400	+ 4	+ 9
R 7,200	+ 33	+ 67
R 5,400d	+ 3	+ 6
Totals	+ 243	+ 436

To put these numbers into perspective, the latest official population estimate for the City identifies that there are 18,004 existing single family residential structures (houses) within the City of Bothell. Together with the projected growth estimate, it is estimated that a total of 20,193 lots either exist or are possible under current regulations. The 243 and 436 bonus lots equate to a 1.2 and 2.1 percent, respectively, increase to the existing and projected households within the City.

The above incentives have the potential of returning the following amounts of open space

Zone	Amount of open space in acres preserved at a 10% Bonus Incentive	Amount of open space preserved at a 20% Bonus Incentive
R 40,000	18.68	31.14
R 9,600	54.07	90.13
R 8,400	1.35	2.25
R 7,200	9.85	14.03
R 5,400d	0.63	1.06

Totals	84.58	138.61
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- j. Approximately how many people would the completed project displace?

Does not apply. See B.1.a.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

No measures necessary. See B.1.a.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This non-project action is an amendment to the City's Implementing Regulations and are consistent with a number of Comprehensive Plan policies regarding the retention of significant trees and open space.

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Overall, when compared to the existing Code provisions regarding lot yield, the proposed Tree Retention and Clustering mechanism could increase the population capacity, by approximately 680 to 1,220 persons. The current population capacity of the *Imagine Bothell...* Comprehensive Plan is 60,736 persons.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low-income housing.

No units would be removed as a result of this action. See B.1.a and 8.i.

- c. Proposed measures to reduce or control housing impacts, if any:

No housing units are being removed by this non-project action.

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable. See B.1.a.

- b. What views in the immediate vicinity would be altered or obstructed?

Does not apply. See B.1.a.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Does not apply. See B.1.a. However, it is appropriate to note the bulk, area, and dimensional standards of the City as well as the site and building design provisions of the Bothell Municipal Code (see 12.14.180 - 240) would apply to future development proposals.

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Does not apply. See B.1.a.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Does not apply. See B.1.a.

- c. What existing off-site sources of light or glare may affect your proposal?

Does not apply. See B.1.a.

- d. Proposed measures to reduce or control light and glare impacts, if any:

No measures necessary. See B.1.a.

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Does not apply. See B.1.a.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Does not apply. See B.1.a.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures are necessary as a result of this non-project action. See B.1.a.

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

This is a non-project action. See B.1.a.

- b. Generally describe any landmarks, or evidence historic, archeological scientific or cultural importance known to be on or next to the site.

This is a non-project action. See B.1.a.

- c. Proposed measures to reduce or control impacts, if any: etc.

This is a non-project action. See B.1.a. However, The Historic Preservation Element of the Comprehensive Plan contains policies and actions which have

been implemented within the Bothell Municipal Code, specifically within BMC Title 22.

14. TRANSPORTATION

- a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on-site plans, if any.

This is a non-project action. The Transportation Element was recently updated as part of the 2015 Periodic Update to accommodate the anticipated growth identified within that update. The Transportation Element identifies goals, policies and actions related to transportation growth and improvements needed to maintain the City's transportation system and adopted levels of service.

The number of vehicle trips that could be added due to the incentive provisions of the Clustering Mechanism have been calculated to be 243 to 436 additional PM Peak hour trips and 2,430 to 4,360 additional average daily trips.

These trips would be distributed across the entire City of Bothell and represents a minimal increase (1 to 2 percent increase) to the city's transportation infrastructure.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

This is a non-project action. See B.1.a. However, transit stops are located throughout the City.

- c. How many parking spaces would the completed project have? How many would the project or proposal eliminate?

Does not apply. See B.1.a.

- d. Will the proposal require any new roads or streets, pedestrian, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private).

Yes, local access streets to serve new development would likely be required consistent with established Comprehensive Plan Policies, and implementing regulations. Further, 'frontage improvements' to those existing streets bordering a development would also be provided.

New roads or streets will be established as part of any development review process for any property that would take advantage of these Code amendments.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

This is a non-project action. See B.1.a. However, it should be identified that the City of Bothell does not currently have active rail, water or air transportation.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

This is a non-project action. See B.1.a. However, when compared with existing regulations the potential number of bonus lot would result in 243 to 436 additional PM Peak hour vehicle trips.

- g. Proposed measures to reduce or control transportation impacts, if any:

This is a non-project action. See B.1.a. However, it should be identified that the City's Transportation Element and implementing traffic impact regulations of BMC Title 17 provide for mitigation of traffic impacts. Such mitigation shall be characterized and mitigated through the development review process.

15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, recreation facilities, other)? If so, generally describe.

Yes, the increase represents a 1 to 2 percent possible increase.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed other than compliance with the City's impact mitigation standards of BMC Title 22.

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

Does not apply. See B.1.a.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Does not apply. See B.1.a.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the city of Bothell is relying on them to make its decision.

Signature: Signature on File
Bruce Blackburn, Senior Planner

Date Submitted: May 4, 2017

Reviewed by: Jeff Smith

Date: May 9, 2017

D. Supplemental Sheet for Nonproject Actions

(to be completed by applicant, do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

EVALUATION
for City use only

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise?

The proposed Tree Retention and Clustering Mechanism Code amendments would not be likely to increase emissions to air; production, storage or release of toxic hazardous substances; or production of noise except as expressly authorized through any permitting or regulatory actions. In many instances, the tree retention regulations would result in a greater number of existing significant trees retained as compared with existing regulations. Such actions are consistent with the Goals, Policies and Actions of the *Imagine Bothell...* Comprehensive Plan and implementing regulations as they exist or are amended.

Proposed measures to avoid or reduce such increase are:

None proposed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Being a non-project action, the proposed Code amendments have no direct impacts on plant or animal life. However, incidental impacts of the new regulations should be understood.

All developments, are required to comply with a number of regulations which have been crafted to reduce the environmental impacts of development. Of special note are the critical areas regulations (CAO) of Chapter 14.04 BMC which are applicable to critical areas including geologically hazardous areas, streams, frequently flooded lands, aquifer recharge lands, wetlands, and wildlife habitat conservation areas. The CAO requires preservation or mitigation of impacts to the previously listed land features. Each type of critical area is governed by a specialized list of requirements that include evaluations by qualified professionals, special protection or preservation standards, and mitigation requirements that are applied when one of these critical areas is altered.

Another special regulatory provision is the December 2016 adoption of the 'new' 2016 Bothell Surface Water Design Manual which is based upon the 2016 King County Manual which is considered equivalent with the 2012 Ecology Manual (amended in 2014).

The new Bothell Manual represents the latest surface water design techniques including low impact development practices and facilities that more closely duplicate the natural hydrologic cycle of surface water runoff controls, groundwater infiltration and atmospheric evapotranspiration.

Finally, these Code amendments also include a new clustering mechanism whereby developments may reduce their disturbance 'footprint' by making lots smaller and roadways narrower in exchange for preserving significant (mature) trees, open space and LID facilities such as Bioretention and dispersion of surface water into intact forest areas.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed Tree Retention and Clustering Mechanism Code amendment is fully consistent with the Goals and policies of the *Imagine Bothell...* Comprehensive Plan in regards to the protection of trees and open space areas which may include wildlife habitat.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed Tree Retention and Clustering Mechanism Code amendment has no direct impact on energy resources. The existing goals, policies, and actions of the 2015 Comprehensive Plan remain unchanged.

Proposed measures to protect or conserve energy and natural resources are:

See the Natural Environment, Urban Design and Transportation Elements for detailed goals, policies and actions.

4. How would the proposal be likely to use or affect environmentally sensitive area or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed Code amendment should have no direct impact on environmentally sensitive areas or prime farmlands. The critical areas regulations of BMC 14.04 remain fully applicable.

The direct environmental impacts associated with specific projects will be evaluated individually and will be consistent with the city's critical area, historic preservation, shorelines, and impact mitigation implementing regulations.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The provisions contained within the proposed Tree Retention and Clustering Mechanism Code amendments would result in increased retention of existing trees throughout the community. These amendments, together with the other regulations within the BMC, provide for substantial mitigation of impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans.

No land uses would be changed under the proposed Tree Retention and Clustering Mechanism Code amendments.

Proposed measures to avoid or reduce shoreline and land use impacts:

Compliance with Title 12 Zoning, Title 13 Shorelines, Title 14 Environment, Title 17 Transportation, and Title 22 Development Impacts of the Bothell Municipal Code.

6. How would the proposal be likely to increase demands on transportation or public services and utilities.

The proposed Tree Retention and Clustering Mechanism Code amendments would increase demands on transportation infrastructure and public services due to the increase in population capacity via the bonus lot incentives.

Proposed measures to reduce or respond to such demand(s) are:

Compliance with the Comprehensive Plan Elements, and the related implementing regulations of the Bothell Municipal Code, particularly, BMC Title 17 Transportation, Title 18 Utilities Infrastructure and Title 22 Impact Mitigation.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflict is known. In fact, the proposed Tree Retention and Clustering Mechanism Code amendments will assist in the implementation of a number of Land Use and Natural Environment Element Policies related to tree preservation.

Submitted by (signature): Signature on File Date: 5/5/17
Bruce Blackburn, Senior Planner

Reviewed by (signature): Signature on File Date: 5/9/17